

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ALLSTATE INSURANCE COMPANY,

Plaintiff,

v.

CSI HOLDINGS I LLC,
CATASTROPHE SOLUTIONS
INTERNATIONAL, LLC, and
GLOBAL CLAIMS SOLUTIONS LLC,

Defendants.

C.A. No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Allstate Insurance Company (“Allstate”), by and through its attorneys, hereby files this Complaint against Defendants CSI Holdings I LLC, Catastrophe Solutions International LLC, and Global Claims Solutions LLC (collectively, “Defendants”).

NATURE OF THE ACTION

1. This is a patent infringement action to remedy Defendants’ infringement of Allstate’s United States Patent No. 9,799,077 (“the ’077 Patent”), titled “Inspection Facility.”

PARTIES

2. Allstate is an insurance company organized and existing under the laws of the State of Illinois with its principal place of business located at 2775 Sanders Rd., Northbrook, IL 60062.

3. Allstate has invested substantial resources developing innovative products and services in the insurance marketplace. These efforts have helped position Allstate as one of the premier providers of insurance in numerous states, with competitive policies and pricing, and

innovative insurance products and services. As part of its constant efforts to improve the quality and competitiveness of its offerings, Allstate develops and utilizes unique technologies in connection with its insurance offerings. Allstate's innovative technology portfolio includes the inventions described and covered in the '077 Patent, and Allstate hereby seeks to stop Defendants' infringement of the '077 Patent and recover damages for said infringement.

4. On information and belief, CSI Holdings I LLC is a limited liability corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 11630 Lilburn Park Road, St. Louis, Missouri 63146.

5. On information and belief, Catastrophe Solutions International LLC is a limited liability corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 11630 Lilburn Park Road, St. Louis, Missouri 63146.

6. On information and belief, Global Claims Solutions LLC is a limited liability corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 11630 Lilburn Park Road, St. Louis, Missouri 63146.

7. On information and belief, Defendants develop and market vehicular damage assessment solutions, including hardware and software for use by vehicle owners, dealers, and insurance carriers.

JURISDICTION AND VENUE

8. This is a civil action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. § 271, which gives rise to the remedies specified under 35 U.S.C. §§ 281 and 283–285.

9. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10. This Court has personal jurisdiction over Defendants because, on information and belief, Defendants are limited liability corporations organized and existing under the laws of the State of Delaware.

11. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and/or 1400 because, on information and belief, Defendants reside in this District.

THE PATENT-IN-SUIT

12. On October 24, 2017, the United States Patent and Trademark Office (“PTO”) duly and legally issued the ’077 Patent, entitled “Inspection Facility.” A true and accurate copy of the ’077 Patent is attached hereto as Exhibit A.

13. Allstate is the owner by assignment of the ’077 Patent and possesses all right and title in the ’077 Patent, including the exclusive right to sue for infringement and recover damages.

14. The inventions claimed in the ’077 Patent provide new and inventive solutions for automated and remote inspection of a vehicle. *See, e.g.*, ’077 Patent at 1:44-2:23; 3:50-57; 5:27:39; 6:43-63; 9:5-12. Further, the inventions of the ’077 Patent allow for more consistency in how damage is identified and assessed, allowing for greater efficiency and accuracy in the insurance claims process. For example, the ’077 Patent provides for accessing damage to a vehicle “quickly and accurately (e.g., seconds or minutes).” *See, e.g.*, ’077 Patent at 3:50-57. In one embodiment, “the enhanced claims settlement server 101 may use object recognition algorithms and/or imaging software to determine the make/model of the vehicle 401 and to compare photos of portions of a damaged vehicle 401 with photos of similar portions of an undamaged vehicle, such as photos obtained from a manufacturer’s specification.” ’077 Patent at 9:6-12. “The claims settlement file 307 may be generated by determining the extent of the

damage to insured item 301 and then cross-referencing pricing information accessible to enhanced claim settlement server 101. In the example of damage associated with a vehicle 401, enhanced claims settlement server 101 may access pricing information for replacing the vehicle 401 or a part of vehicle 401 and/or for repairing the damage to vehicle 401 stored in internal databases associated with enhanced claims settlement server 101.” ’077 Patent at 9:54-63. While the prior art solutions relied largely on manual processes left up to human interpretation, the inventions of the ’077 Patent use computer and sensor technology in innovative ways to identify damage to a vehicle that otherwise may not be visible to the naked eye and on a more consistent basis. *See, e.g.*, ’077 Patent at Abstract; 1:29-40; 1:44-2:23; 3:50-57; 5:27:39; 6:43-63; 9:5-12. As such, the claimed invention is directed to an improvement in vehicle inspection technology and not directed to generic components performing conventional activities. The claimed elements, individually or in the claimed combination are not well-understood, routine, or conventional activity.

FIRST CAUSE OF ACTION

Infringement of the ’077 Patent

15. Plaintiffs reallege and incorporate paragraphs 1–14 as though fully set forth herein.

16. Claim 16 of the ’077 Patent recites:

A method of inspecting a vehicle comprising:

receiving the vehicle at an analysis location wherein the analysis location includes a plurality of cameras and wherein the plurality of cameras are configured to generate data characterizing one or more conditions of the vehicle when the vehicle is at the analysis location,

wherein the plurality of cameras are communicatively connected with a computing device comprising memory storing instructions that, when executed, cause the computing device to carry out an inspection of the vehicle by executing an inspection algorithm, and

receiving, at the computing device from the plurality of cameras, the data characterizing the one or more conditions of the vehicle;

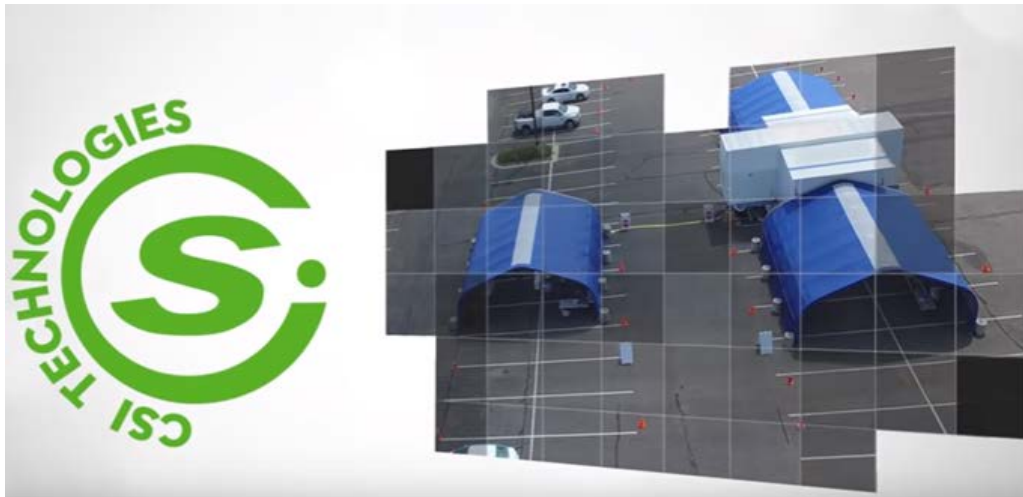
executing, by the computing device, an assessment algorithm that causes the computing device to analyze the data and identify damage to the vehicle based on the data; and

executing, by the computing device, an estimation algorithm that causes the computing device to estimate an amount to repair the vehicle based, at least in part, on the damage identified.

17. On information and belief, Defendants have developed, marketed, used, and sold access to vehicular damage assessment solutions, including a mobile assessment center. *See* www.getcsi.com/adomea. Defendants' mobile assessment center can be setup in response to an event such as a hail storm to evaluate damage to vehicles. *Id.*; <https://youtu.be/6MUaH93uJ78>.

18. On information and belief, Defendants' mobile assessment center can be used to perform a method of inspecting a vehicle. *See* <https://youtu.be/6MUaH93uJ78>.

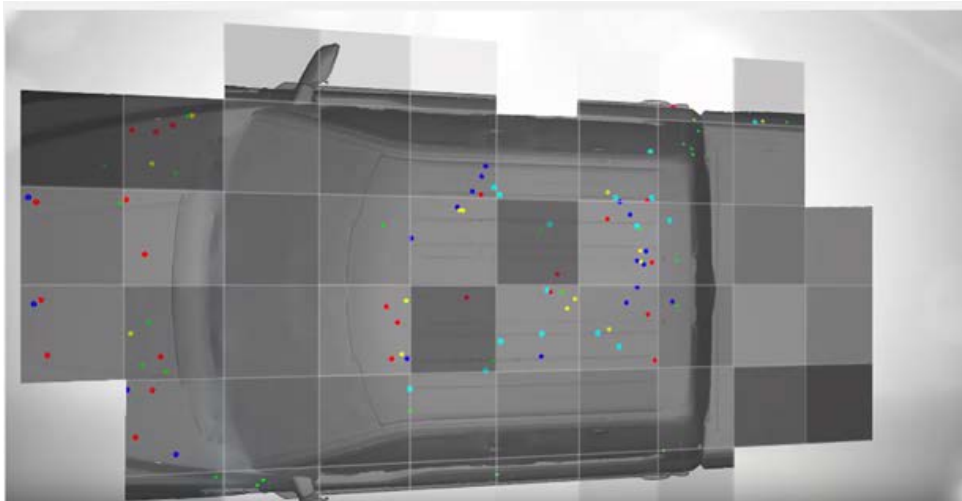
19. On information and belief, Defendants' mobile assessment center receives a vehicle in a drive-through analysis location, which can be seen in the images below:





See <https://youtu.be/6MUaH93uJ78>.

20. On information and belief, the mobile assessment center's analysis location includes a plurality of cameras, which are configured to generate data characterizing one or more conditions of the vehicle when the vehicle is at the analysis location. The cameras are configured to generate optical scans of the exterior of the vehicle under inspection for damage assessment. See <http://www.getcsi.com/adomea>; <https://youtu.be/6MUaH93uJ78>.



See <https://youtu.be/6MUaH93uJ78>.

21. On information and belief, the plurality of cameras included in Defendants' mobile assessment center's analysis location are communicatively connected to a computing

device, which executes inspection and assessment algorithms stored in memory. The mobile assessment center performs a digital scan, capturing more than 1700 images of the vehicle under inspection. *Id.* The mobile assessment center “houses 3D images of every make and model of vehicle available” and matches the data gathered about the vehicle under inspection with the manufacturer’s specifications to identify damage to the vehicle. *See id.*

22. On Information and belief, Defendants’ mobile assessment center executes an estimation algorithm to estimate an amount to repair the vehicle based on the damage identified. Once the assessment is complete, the mobile assessment center generates a report, which “includes a complete and thorough capture of the damage, as well as repair value.” *See id.*; <http://www.getcsi.com/adomea>.

23. By utilizing the mobile assessment center, Defendants perform each step of the method claimed in claim 16 of the ’077 Patent, and therefore directly infringe at least claim 16.

24. At least as of the filing of (and at least by virtue of) this Complaint, Defendants have knowledge, and/or are willfully blind to the facts, that their mobile assessment center infringes at least claim 16 of the ’077 Patent.

25. Allstate is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Allstate respectfully requests that the Court enter judgment in favor of Allstate and grant the following relief to Allstate:

- (a) A judgment that Defendants infringe the ’077 Patent;
- (b) An order awarding damages under 35 U.S.C. § 284 in an amount sufficient to compensate Allstate for its damages arising from infringement by Defendants, including, but not

limited to, lost profits and/or a reasonable royalty, together with pre-judgment and post-judgment interest, and costs;

(c) An accounting and/or supplemental damages for all damages occurring after any discovery cutoff and through the Court's decision regarding the imposition of a permanent injunction;

(d) An order permanently enjoining Defendants, their affiliates and subsidiaries, and each of their officers, agents, servants and employees and those acting in privity or concert with them, from making, offering to sell, selling, using, or importing into the United States products claimed in any of the claims of the '077 Patent; using or performing methods claimed in any of the claims of the '077 Patent; inducing others to use and perform methods that infringe any claim of the '077 Patent; inducing others to make, offer, sell, use or import into the United States articles that infringe, or are made by a process that infringes, any claim of the '077 Patent; contributing to others using and performing methods that infringe any claim of the '077 Patent; and contributing to others making, offering, selling, using or importing into the United States articles that infringe any claim of the '077 Patent, until after the expiration of the '077 Patent, including any extensions and/or additional periods of exclusivity to which Allstate is or becomes entitled;

(e) A judgment declaring that this case is exceptional and awarding Allstate its reasonable costs and attorneys' fees pursuant to 35 U.S.C. § 285;

(f) Such further and other relief as this Court deems proper and just.

JURY DEMAND

In accordance with Rule 38 of the Federal Rules of Civil Procedure, Allstate respectfully demands a jury trial of all issues triable to a jury in this action.

OF COUNSEL:

Garret A. Leach, P.C.
Kristina N. Hendricks
KIRKLAND & ELLIS LLP
300 North LaSalle Street
Chicago, IL 60654
(312) 862-7425

Dated: March 26, 2018

/s/ Frederick L. Cottrell, III

Frederick L. Cottrell, III (#2555)
Chad M. Shandler (#3796)
RICHARDS, LAYTON & FINGER, P.A.
920 N. King Street
Wilmington, DE 19801
(302) 651-7700
cottrell@rlf.com

*Counsel for Plaintiff Allstate Insurance
Company*